

Regular Session, 2009

SENATE BILL NO. 235

BY SENATOR N. GAUTREAUX

LOCAL OFFICIALS. Provides for the appointment of the chief of police in the town of
Duson. (8/15/09)

AN ACT

To amend and reenact R.S. 33:381(C)(29), relative to the town of Duson; to provide that the
chief of police of the town shall be appointed; to provide for the time of the initial
appointment; to provide for the method of appointment and for the salary, term,
duties, and supervision of the police chief; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:381(C)(29) is hereby enacted to read as follows:

SUBPART D. SELECTION OF MUNICIPAL OFFICERS

§381. Municipal officers

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C.

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(29) Notwithstanding any other provision of law to the contrary, the
office of police chief of the town of Duson shall not be elected at large but shall
be appointed by the mayor upon approval by majority vote of the board of
aldermen of said town. If there is an elected chief in office on the effective date

1 **of this Paragraph, the mayor shall make the first such appointment upon the**
 2 **expiration of the current term or vacancy for other reason; otherwise, he shall**
 3 **make the first appointment immediately. The board of aldermen, upon**
 4 **recommendation of the mayor, shall establish the chief's salary and shall, by**
 5 **ordinance, establish the duties, responsibilities, and qualifications of the office.**
 6 **The mayor shall, in accordance with such ordinances, supervise and direct the**
 7 **administration of the office, and the chief shall report directly to the mayor.**

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The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by James Benton.

DIGEST

Present law provides that the officers of every municipality governed by the provisions of the Lawrason Act (mayor-board of aldermen form of government) shall be a mayor, alderman, a chief of police, a tax collector, a clerk, and a street commissioner. Generally provides for election, at large, of the police chief. Provides for appointment of a police chief in certain specified municipalities.

Present law alternatively provides that the office of police chief shall be filled by mayoral appointment with approval of the board of aldermen if a majority of the municipal electors approve the change. Provides for an election on the question only upon a petition directed to the board of aldermen and signed by at least 25% of such electors.

Proposed law provides an exception for the police chief in Duson. Proves that such police chief shall be appointed by the mayor with the approval of the board of aldermen by majority vote. Provides for initial appointment upon expiration of the current term or other vacancy if there is an elected chief in office on the effective date of proposed law; provides for immediate appointment if not. Provides that the police chief's term shall be concurrent with that of the mayor and aldermen.

Proposed law provides that the board of aldermen, upon recommendation of the mayor, shall establish the salary of the office and shall, by ordinance, establish the duties, responsibilities, and qualifications of the office and that the chief shall report directly to the mayor.

Effective August 15, 2009.

(Adds R.S. 33:381(C)(29))